



Statement of Mr. David Ritcheson
Hearing on H.R. 1592, the "Local Law Enforcement Hate Crimes
Prevention Act of 2007"
House Judiciary Committee
Subcommittee on Crime, Terrorism, and Homeland Security
Tuesday, April 17

I appear before you as a survivor of one of the most despicable, shocking, and heinous acts of hate violence this country has seen in decades. Nearly one year ago on April 22, 2006, I was viciously attacked by two individuals because of my heritage as a Mexican-American. After hanging out with a few friends at a local crawfish festival, my friend and I, along with the two individuals who would eventually attack me, returned to the home in Spring, Texas where I was to spend the night. It was shortly after arriving at this private residence that a minor disagreement between me and the attackers turned into the pretext for what I believe was a premeditated hate crime. This was a moment that would change my life forever. After I was surprisingly sucker punched and knocked out, I was dragged into the back yard for an attack that would last for over an hour. Two individuals, one an admitted racist skinhead, attempted to carve a swastika on my chest. Today I still bear that scar on my chest like a scarlet letter. After they stripped me naked, I was burned with cigarettes and savagely kicked by this skinhead's steel toed army boots. After burning me in the center of the forehead, the skinhead attacker was heard saying that now I looked like an Indian with the red dot on my forehead. Moreover, the witnesses to the attack recalled the two attackers calling me a "wetback" and a "spic" as they continued to beat me as I lay unconscious. Once the attack came to an end, I was dragged to the rear of the back yard and left for dead. Reportedly, I lay unconscious in the back yard of this private residence for the next 8-9 hours. It was not until the next morning that I was found and the paramedics came to my aid. I am recounting this tragic event from the testimony I heard during the trial of the two attackers this past fall. God spared me the memory of what happened that night. As I sit before you today, I still have no recollection of those life changing twelve hours or the weeks that followed.

Weeks later I recall waking up in the hospital with a myriad of emotions, including fear and uncertainty. Most of all, I felt inexplicable humiliation. Not only did I have to face my peers and my family, I had to face the fact that I had been targeted for violence in a brutal crime because of my ethnicity. This crime took place in middle-class America in the year 2006. The reality that hate is alive, strong, and thriving in the cities, towns, and cul-de-sacs of Suburbia, America was a surprise to me. America is the country I love and call home. However, the hate crime committed against me illustrates that we are still, in some aspects, a house divided. I know now that there are young people in this country who are suffering and confused, thirsting for guidance and in need of a moral compass. These are some of the many reasons I am here before you today asking that our government take the lead in deterring individuals like those who attacked me from committing unthinkable and violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk or act.

I believe that education can have an important impact by teaching against hate and bigotry. In fact, I have encouraged my school and others to adopt the Anti-Defamation League's No Place for Hate® program. If these crimes cannot be prevented, the federal government must have the authority to support state and local bias crime prosecutions.

As the weeks in the hospital turned into months, I began hearing the stories of support that came from literally all over the world. The local community pulled together in a really majestic way, reaffirming my hope in the good of humanity. My family told me about the crowded waiting rooms full of the great friends from past and present. I heard about prayer groups before school in front of my school, the Klein Collins Campus. The donations that helped my family and me get through an unthinkable time poured in from generous people scattered across the globe. These donations would help pay for the enormous hospital bills from the over thirty surgeries I underwent during the first three months after the attack. Most of these operations were essential to saving my life -- and others were necessary just to make my body able to perform what would be normal functions.

As the recovery process continued, my family began to slowly inform me of what had happened to me. They went on to tell me of the effective response by the Harris County Sheriff's Department and the Harris County Constables who had investigated the hate crime committed against me. I slowly began learning the about the background of the two individuals who had been arrested for attacking me. I was informed that one of the attackers, David Tuck, was a self proclaimed racist skinhead who had viciously attacked at least two other Hispanics in the past few years, almost killing one of them. I learned that he had been in and out of several juvenile facilities. Most surprising, I learned that he had been released from the Texas Youth Commission a little over a month before he attacked me. In fact, he was still on probation the night he nearly ended my life. I was told that he had "white power" and swastikas tattoos on his body. I was informed that his older step brother, a major influence in his life, was also a self-proclaimed skinhead currently serving time in a Texas jail. Here I was, learning shocking details of a person who lived only miles from me and who had at one time attended the same high school that I attended. How could this

type of hate be breeding just miles from my home in a city as diverse as Spring without anyone taking notice?

I quickly learned of and benefited from the support of groups such as the Anti-Defamation League (ADL) and League of United Latin American Citizens (LULAC). Both groups immediately provided whatever support they could to help me and my family. From setting up fundraisers to help my family with unanticipated expenses to providing emotional support confirming that I was not going through this alone, both groups were instrumental in assisting me and my family in the process of moving forward. There are so many people to thank for the support they have given me, including the ongoing encouragement to appear before you today.

Last November and December I sat in a courtroom in Harris County, Texas and faced my attackers for the first time as they went through their respective trials. I am glad to say that justice was done. I am proud of the job our county prosecutors and investigators did in ensuring life sentences for the two individuals who attacked me. Specifically, I want to recognize the great job that Assistant District Attorney Mike Trent did during the prosecution of these two individuals. However, despite the obvious bias motivation of the crime, it is very frustrating to me that neither the state of Texas nor the federal government was able to utilize hate crime laws on the books today in the prosecution of my attackers. I am upset that neither the Justice Department nor the FBI was able to assist or get involved in the investigation of my case because "the crime did not fit the existing hate crime laws." Today I urge you to take the lead in this time of needed change and approve the "Local Law Enforcement Hate Crimes Prevention Act of 2007". I was fortunate to live in a town where local law enforcement authorities had the resources, the ability -- and the will -- to effectively investigate and prosecute the hate violence directed against me. But other bias crime victims may not live in such places. I ask you to provide authority for local law enforcement to work together with federal agencies when someone is senselessly attacked because of where they are from or because of who they are. Local prosecutors should be able to look to the federal government for support when these types of crimes are committed. Most importantly, these crimes should be called what they are and prosecuted for what they are, "hate crimes"!

In fact, because there was so much attention focused on the fact that my case was not being prosecuted in Texas as a hate crime, the Anti-Defamation League and the Cook County (Illinois) Hate Crimes Prosecution Council published a Pamphlet called "**Hate Crimes Data Collection and Prosecutions:Frequently Asked Questions**," designed to address some of the basic legal and practical considerations involved in labeling and charging a hate crime.

My experience over the last year has reminded me of the many blessings I took for granted for so long. With my humiliation and emotional and physical scars came the ambition and strong sense of determination that brought out the natural fighter in me. I realized just how important family and the support of community truly are. I will always recall my parents at my bedside providing me with strength and reassurance. They showed me how to be strong during my whole recovery, a process I am still going through today. Seeing the hopeful look of concern in the faces of my siblings, cousins, aunts and uncles everyday was the direct support I needed to get through those terrible first few months. As each day passed, I became more and more aware of everything I had to live for. I am glad to tell you today that my best days still lay ahead of me.

Thank you for the opportunity to tell my story. It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as the "Local Law Enforcement Hate Crimes Prevention Act of 2007". I can assure you, from this day forward I will do what ever I can to help make our great country, the United States of America, a hate free place to live.